

May 13, 2003

Re: MDR #: M2-03-0829-01
IRO Certificate No.: 5055

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to ____ for an independent review. ____ has performed an independent review of the medical records to determine medical necessity. In performing this review, ____ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Anesthesia, specializing in Pain Management.

Clinical History:

This 44-year-old gentleman was injured on his job on _____. His injury resulted in low back pain at that time and he was treated conservatively. He then received some epidural steroid injections, from which he apparently got some relief. He returned to work, but now complains of lower back pain radiating to the leg, very similar to what he experienced before. There is some question in the notes as to whether or not this has been an ongoing problem, or has recurred.

Disputed Services:

Lumbar epidural steroid injection X1, with fluoroscopy and epidurogram.

Decision:

The reviewer disagrees with the determination of the insurance carrier. The reviewer is of the opinion that the injection is medically necessary in this case.

Rationale for Decision:

The medical records indicate that the patient does have symptomatology that would be consistent with a lumbar radiculopathy, in particular a chronic lumbar radiculopathy. Epidural steroid injection may well offer the patient some semi-permanent relief of his symptomatology as related to the radiculopathy.

An epidural steroid injection is not really curative in nature; it is simply an anti-inflammatory measure to control swelling and allow the symptomatology to reduce and thus allow the patient to heal. In many cases, the patient does not heal and does, indeed require further epidural injections at a later date for palliative relief of the symptomatology.

I am the Secretary and General Counsel of ____ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers

or any of the physicians or other health care providers who reviewed this care for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by ____ is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within ten (10) days** of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within twenty (20) days** of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on May 13, 2003.

Sincerely,